

1943
K

File No. ^{City} B. Munis. Corps
(E & T)
Legal Dept 43
R BRANCH

Subject:- Governor's Bill No. VII of 1943

A Bill to amend the City
of Bombay Municipal Corporation
(Extension of Term) Act, 1941

Bom. Act No. VII of 1943

(P. 7/E)

File No

Gen. 194 e

City
B Munis. Corps (E & T)
43

310-B

Office of the R.L.A.

A revised draft Bill is sent herewith.
The draft Statement at page 91 ante as slightly amended is in order.

2. Under executive instructions, the Bill requires the previous approval of the Governor General before enactment. The subject-matter of the Bill falls under entry No. 13 in the Provincial Legislative List in the Seventh Schedule to the Government of India Act, 1935.

Since the Bill does not relate to any entry in the Concurrent Legislative List it is not necessary to reserve it for the consideration of the Governor General with reference to section 107(2) of the Government of India Act, 1935, or paragraph 2 of the Proclamation.

Sd/- P.N.M.
5/2

Remembrancer of Legal Affairs.

U.R. to the G.D. No. 912 dated the 5th February 1942.

4 c.
V.R.K.
14/7/56

582
24/7

No. 3765
Legal Department,
Bombay Castle, 24th May 1943.

From

P. N. Moos, Esquire, Bar-at-Law, I.C.S.
Secretary to the Government of Bombay.

To

The Secretary to the Governor of Bombay,

Subject: A Bill to amend the City of
Bombay Municipal Corporation
(Extension of Term) Act, 1941.

Sir,

With reference to your Memorandum No. 221(85) dated the 11th March 1943 addressed to the General Department, on the above subject, I am directed to forward herewith for the assent of His Excellency the Governor a copy of the Bill to amend the City of Bombay Municipal Corporation (Extension of Term) Act, 1941, prepared by His Excellency the Governor under paragraph (2) of the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935.

2. None of the provisions of the Bill affects any special responsibility of the Governor under section 52(1) of the Government of India Act, 1935, or falls within the purview of clauses (a), (b), (c) or (d) of paragraph XVII of the Instrument of Instructions to the Governor of Bombay.

3. The subject matter of the Bill falls under entry No. 13 in the Provincial Legislative List in the Seventh Schedule to the Government of India Act, 1935. None of the provisions of the Bill relates to any matter enumerated in the Concurrent Legislative List. It is not, therefore, necessary to reserve the Bill for consideration of the Governor General with reference to paragraph (2) of the Proclamation and section 107(2) of the Government of India Act, 1935.

4 c.
V. R. K.
14/7/56

4. The date on which His Excellency the Governor's assent is given may kindly be entered in the endorsement.

5. I also forward herewith one spare copy of the Bill

Your obedient servant,

Sd/- P.N.M.
24/5/45

Secretary to the Government of Bombay,
Legal Department.

Through

The Secretary to the Government of Bombay,
General Department.

4 c.
V.R.K.
14/7/56

No. 201(51).
Office of the Governor's Secretary,
Government House,
Geneskhind, 8th June, 1943.

From

J.B.Irwin, Esquire, C.I.E., D.S.O., M.C., I.C.S
Secretary to the Governor of Bombay.

To

The Secretary to Government,
Legal Department.

Subject: The City of Bombay Municipal
Corporation (Extension of Term)
(Amendment) Bill, 1943.

Sir,

With reference to your No 3765, dated the 24th May 1943, I am directed to return herewith the copy of the Bill to amend the City of Bombay Municipal Corporation (Extension of Term) Act, 1941, prepared by his Excellency the Governor under paragraph (2) of the Proclamation, dated the 4th November 1939, issued by him under section 93 of the Government of India Act, 1935, and to state that, under the provisions of the aforesaid paragraph, His Excellency the Governor has pleased to declare that he assents to the Bill in the name of His Majesty.

Your obedient servant,

Sd/- (J.B.Irwin)

Secretary to the Governor of Bom.

Copy to the Secretary to Government, General Department

4 c.
V.R.K.
14/7/56

ACTS

Publication of the City of Bombay
Municipal Corporation (Extension of
Term) (Amendment) Act, 1943.

GOVERNMENT OF BOMBAY.

Legal Department.

Resolution No. 4166

Bombay Castle, 11th June 1943.

Letter to the Secretary to the Governor, No. 3765, dated
the 24th May 1943.

Letter from the Secretary to the Governor No. 201(51)
dated the 8th June 1943.

With reference to your letter No. 3765, dated the 24th
May 1943, I am directed to return herewith the copy
of the Bill to amend the City of Bombay Municipal
Corporation (Extension of Term) Act, 1941, prepared by
His Excellency the Governor under paragraph (2) of the
Proclamation, dated the 4th November 1939, issued by
him under section 93 of the Government of India Act,
1935, and to state that, under the provisions of the
aforesaid paragraph, His Excellency the Governor is
pleased to declare that he assents to the Bill in the
name of His Majesty."

RESOLUTION: The law should be published as Bombay Act
No. VIII of 1943, in the Bombay Government Gazette dated
the 11th June 1943.

2. The Act should be translated into Marathi, Gujarati
and Hindustani (in Urdu and Devnagari Scripts) and the
translations should be published in the Bombay Government
Gazette.

3. A copy of the Act should be forwarded to the
General Department.

By order of the Governor of Bombay,

Sd/-
P.N. Moos

For Secretary to the Government.

To

The Manager, Government Central Press, Bombay (with a
copy of the Act and with a request that 15 gazette
copies of the Act may be forwarded to the Legal Dept.)
The General Department.
* The Oriental Translator to Government.
The Secretary to the Bom. Legislative Council } with a copy
The Secretary to the Bom. Legislative Assembly } of the Act

4 c.
V.R.K.

14/7/56

*with five extra copies



The Bombay Government Gazette

PUBLISHED BY AUTHORITY

FRIDAY, 11TH JUNE 1943.

Separate paging is given to this Part in order that it may be filed as a separate compilation

PART IV

1) Acts of the Local Legislature of the Bombay Province and (2) Acts of the Indian Legislature assented to by the Governor General.

CONTENTS.

	PAGES
BOMBAY ACT No. VIII OF 1943—An Act to amend the City of Bombay Municipal Corporation (Extension of Term) Act, 1941 ...	146-147
ORDINANCE No. XIX OF 1943—An Ordinance to repeal the Special Criminal Courts Ordinance, 1942, and to provide for certain matters in connection with such repeal ...	148-149

The following Act made by the Governor of Bombay in exercise of the powers vested in him by virtue of the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935, having been assented to by him on the 7th June 1943 is hereby published for general information.

P. N. MOOS,
Secretary to the Government of Bombay,
Legal Department.

BOMBAY ACT No. VIII OF 1943.

(First published, after having received the assent of the Governor, in the "Bombay Government Gazette" on the 11th June 1943.)

An Act to amend the City of Bombay Municipal Corporation (Extension of Term) Act, 1941.

WHEREAS it is expedient to amend the City of Bombay Municipal Corporation (Extension of Term) Act, 1941, for the purpose hereinafter appearing;

Bom. I of 1941.

AND WHEREAS the Governor of Bombay has assumed to himself under the Proclamation, dated the 4th November 1939, issued by him under section 93 of the Government of India Act, 1935, ^{36 Geo. 5, Ch. 2.} all powers vested by or under the said Act in the Provincial Legislature ;

NOW, THEREFORE, in exercise of the said powers, the Governor of Bombay is pleased to make the following Act :—

Short title.

1. This Act may be called the City of Bombay Municipal Corporation (Extension of Term) (Amendment) Act, 1943.

Amendment of section 1 of Bom. I of 1941.

2. In sub-section (2) of section 1 of the City of Bombay Municipal Corporation (Extension of Term) Act, 1941 (hereinafter called " the said Act "), for the figures " 1944 " the figures " 1945 " ^{Bom. I of 1941.} shall be substituted.

Amendment of section 2 of Bom. I of 1941.

3. In section 2 of the said Act, for the figures " 1944 " the figures " 1945 " shall be substituted.

STATEMENT.

The term of office of the Municipal Corporation of Bombay was due to expire on the 1st April 1942. It was, however, extended by two years and it is now proposed that it should be extended for a further period of one year, that is, till the 1st April 1945. In order to hold elections on the basis of adult franchise, which was introduced by Bombay Act XIII of 1938, it is necessary to amend the City of Bombay Municipal Act, 1888, in respect of qualifications of voters, preparation of electoral rolls, conduct of elections and re-distribution of wards. Proposals for the necessary amendments have been prepared by the Municipal Commissioner in the light of the experience gained in the general elections of 1939 and these are under the consideration of the Corporation. It was, however, necessary to carry out the requisite amendments before February 1943, at the latest, to complete in time the preliminaries prescribed by law for holding the elections in 1944. It will take a considerable time for the Corporation and Government to come to final conclusions in regard to the proposed amendments. The re-distribution of wards is essential as the number of voters is expected to be over 6½ lakhs and in some of the more thickly populated wards the number will be as great as 50,000 if the old number of wards is retained.

The extension of the life of the Corporation for a further period of one year, that is, till the 1st April 1945 is, therefore, considered necessary.